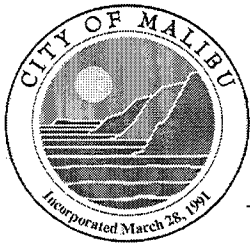


Support, Opposition, Opposition to the 2014 Deadline, and Financial Hardship Concerns

No.	Comment	Parties	Page #	Response
1	Support, in general, and support with qualifications	Angel	590	Support acknowledged. Responses to comments that qualify support are summarized in subsequent matrices.
		Baykeeper	212-229	
		Bay Restoration Commission	195-196	
		Heal the Bay	234-237	
		Maginnis	597-598	
		Rosenfeld	486	
		Surfing Association	238-240	
		Surfing Coalition	241-260	
2	Opposition	City	100-185	Opposition acknowledged. Responses to comments cited in opposition are summarized below and in subsequent matrices.
		WW Advisory Committee	186-187	
		County	188-194	
		Las Virgenes MWD	197-208	
		School District	209-210	
		All 6 'WDR Dischargers'	262-378	
		Almost all (19 out of 20) 'Other Dischargers'	380	
		Advanced Onsite	586-588	
		Ensitu	591-592	
		Thai Cuisine	599	
		Toberman	600	
		Tobias	601-602	

Support, Opposition, Opposition to the 2014 Deadline, and Financial Hardship Concerns

No.	Comment		Parties	Page #	Response
3	2014 deadline to cease discharge:	Support for 2014 deadline	Baykeeper*	219	<p>Staff acknowledges that the 2014 schedule does not include allowances for significant delays in planning, financing, design, environmental evolutions, construction, and start up; however, it is a feasible schedule. The City has provided no evidence that the 2014 schedule is not feasible. Latham and Watkins provides an alternate scenario based upon its expertise, but it appears to be a “worst case” schedule and staff does not agree that the worst case is inevitable. For example, staff is aware that significant planning and preliminary design work has been done by the City (see Stone 2004 and Questa 2003 and 2005), and that State Water Board funding opportunities have been initiated.</p> <p>* Bay Keeper: Accelerate deadline to 2012 for Civic Center, Malibu Colony, and Winter Canyon (page 219).</p> <p>**Heal the Bay: "...outlines a reasonable schedule..." (page 235). [Re Malibu Colony]..."A requirement to either tie into the sewer or install a disinfection system ...[within] 8 years would be acceptable...." (page 236).</p>
			Bay Restoration Commission	196	
			Heal the Bay**	235-236	
			Surfing Association	238	
		Extend 2014 deadline	City	118	
			Latham & Watkins	470	
			Advanced Onsite	586	
			Env Engineering	594-595	
4	Opposition based on anticipated financial hardship		City	131-133	<p>Staff has not attempted to allocate costs among users – e.g. allocating costs among homeowners versus commercial and industrial users. Financing community services, including collection and treatment of wastewaters is typically by a community, and not at the state or federal level. Likewise, finding a fair way to allocate the costs within a community is typically decided by community leaders with input from their constituents. Nevertheless, the Board has been advocating on behalf of the community, to obtain financial assistance from the state. Staff has already encouraged the City apply for a subsidized loan from the Clean Water State Revolving Fund. Also, the Board may wish to encourage community leaders to make allowances or set more flexible payment terms for users facing financial hardship, such as seniors on fixed incomes and low income homeowners.</p> <p>The City appears to have financial flexibility. For example, the City has high bond ratings. (See attached release dated Aug 18, 2009.)</p>
			School District	209	
			Most 'WDR Dischargers'	262-378	
			Most 'Other Dischargers'	380-585	
			Many 'Other Dischargers'	586-602	



City of Malibu News

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City of Malibu Achieves Highest Credit and Bond Ratings

Ensures New City Hall Will Be Purchased at Lowest Possible Interest Expense and Cost to the Taxpayer

MALIBU, CA – The independent bond-rating agency, Standard & Poor's, described the City of Malibu's financial performance as "very strong" and awarded its highest possible credit and bond ratings to the City – ratings that will help ensure the new City Hall will be purchased at the lowest possible interest rate and cost to the taxpayer, Mayor Andy Stern announced today.

Standard & Poor's gave the City a "AAA" credit rating and "AA+" bond rating, its highest possible rating for the general appropriations lease financing the City is undertaking. The City plans to issue nearly \$20 million in Certificates of Participation to finance the purchase of an existing building and its renovation so it can serve as Malibu's new City Hall.

The City also achieved the "AAA" credit rating and "AA+" bond rating in 2005 in association with its issuance of 2006 Certificates of Participation for the purchase of the Legacy Park property where it is building an innovative stormwater and environmental restoration project.

"We are very proud that the City of Malibu has once again achieved the highest possible credit and bond ratings, especially at a time when the state and many other governmental entities have experienced a reduction in their ratings because of the difficult economic conditions," said Mayor Stern. "Maintaining outstanding ratings verifies the fiscally responsible and sound management of the City. These great bond ratings also will help ensure the new City Hall will be purchased and renovated with the lowest possible interest expense and cost to the taxpayer."

In issuing its ratings, Standard & Poor's said the City's financial performance has been "very strong, with annual operating surpluses that the city used to boost the reserves and a track record of actual performance that has exceeded budgeted performance." It also noted that Malibu enjoyed strong property values, a low unemployment rate, a low debt burden, a strong reserve and close proximity to Los Angeles' "deep and diverse" economy.

"The outlook also reflects our expectation of continued strong financial performance with substantial flexibility maintained by healthy reserves above the council's stated target," Standard & Poor's said in issuing its ratings for Malibu. "We believe the desirability of Malibu as both a permanent residence and a tourist destination should continue to provide credit stability."

Sara Oberlies, the City of Malibu's investment banker for the Certificates of Participation and a managing director at the municipal bond underwriting firm of Stone & Youngberg, said only 35 California cities have achieved a "AAA" credit rating.

(More)

"A rating of AAA is very difficult to achieve in such difficult economic times because of the volatility and uncertainty of available revenues for municipal governments," she said. "Malibu's City Council, its mayor and its staff deserve praise for their sound financial management of the City's resources and its revenues."

The City of Malibu plans to issue nearly \$20 million in Certificates of Participation on Thursday for the purchase and renovation of an approximately 35,000-square-foot commercial office building that will serve as the new City Hall. The new City Hall will replace the building the City currently rents for its operations.

"In all my years on the Council, the purchase of this building was the one thing nearly everyone in town agreed was the right thing to do," said Mayor Stern.

The City also plans to retain for public and private use the new building's state-of-the-art, 500-person auditorium and one-of-a-kind recording studio that has been used by such renowned musicians as Tom Petty, Bob Dylan, Sting and Barbra Streisand.

"The purchase of this quality building in this location at this price was a unique opportunity for the City, and I applaud the City Council for their initiative in making it happen," said City Manager Jim Thorsen.

The City of Malibu was incorporated on March 28, 1991. Located in northwest Los Angeles County, the City has 21 miles of coastline along the Pacific Ocean and a population of 12,575. For more information on the city and the project, please visit <http://www.ci.malibu.ca.us/> and <http://www.malibulegacy.org/>.

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